REMARKS/ARGUMENTS

This Amendment is submitted in response to the Office Action mailed October 15, 2007. The deadline for responding has been extended to February 15, 2008 by a request for an extension of time made herewith.

Applicant's undersigned representative hereby requests a telephone interview prior to issuance of the next office action. This amendment and the remarks included herein are intended to serve as the basis for the interview. **The Examiner is requested to call Applicant's undersigned representative, Michael P. Straub, at (732) 542-9070 to schedule the requested interview.** Should the Examiner find the arguments made herein sufficiently persuasive that none of the rejections are to be maintained the interview request can be disregarded. However, if the Examiner is considering maintaining any of the rejections Applicant's representative hopes the Examiner will honor the interview request since it is likely that the interview will facilitate resolution and/or clarification of the issues under consideration.

I. Introduction

New claims 42-51 have been amended. Accordingly claims 1-52 are now pending. Claims 1-41 are rejected.

As will be discussed below, all of the claims are definite and none of the pending claims are anticipated or rendered obvious by the applied references.

II. The Rejections Have Been Overcome

1. Discussion of Various Exemplary Embodiments

In various exemplary embodiments, a third node is provided access to a shared secret that is also known to first and second nodes, e.g., nodes which are involved in a secure communications session. This shared secret is used, in various exemplary embodiments, to secure a flow of packets from the first node that is directed to the second node. For example, in some embodiments, the packets from the first node to the second node have a destination address corresponding to the address of second node.

Packets in the secure flow of packets from the first node to the second node may be re-directed to the third node. When the third node is on the path from the first node to the second node the third node can intercept the packets in the secure flow of packets. The third node, when having the shared secret can, and in some embodiments does, decrypt, examine and/or otherwise process the intercepted or re-directed packets. In some cases, the third node sends an acknowledgment to the first node indicating that the packets were received by the second node.

The packet redirection and/or interception and processing used in various embodiments of the present application is very different than the use of secure multicast communications, e.g., such as described in the Srivastava patent.

The exemplary embodiments discussed above to help explain various features of the invention are not intended to limit the claimed invention to the specific exemplary embodiments discussed.

2. The Srivastava Patent (6,684,331)

The Srivastava patent describes securing **multicast communications**. In multicast, packets **are sent from a first node to a group of nodes, e.g.,** ***by using a group,*** **e.g., multicast,** ***address*** as a destination address. The group may include multiple nodes which receive packets having the group address as a destination address. In secure multicast, a shared group session key may be known by the members of the multicast group and used to secure a multicast flow of packets that is directed to the multicast group.

3. The Pending Claims Are Patentable Over the Srivastava Patent

As amended, each of the independent claims clearly distinguishes over the secure multicast communications method described in the Srivastava patent.

1. Claims 1-18 and 42 are Patentable

Independent claim 1 is patentable because, it recites, among other things, the features indicated in bold below:

> A communications method for use in a system comprising a first, second and third nodes, and a first secret, said first secret being shared between the first and second nodes to secure communications between said first and second nodes, the method comprising:

operating the first node to establish a secure communications session with said second node using the first shared secret to secure the contents of packets communicated from the first node that are directed to the second node as part of the secure communications session, **packets communicated from the first node that are directed to the second node *being addressed to said second node by use of a second node destination address*;**

operating a third node which is coupled to said first and second nodes to maintain in memory a copy of said first shared secret; and

operating the third node to receive a secure flow of packets from the first node that are directed to said second node as part of the secure communications session.

In the multicast case, packets have a destination address which is a multicast, e.g., group, address. The multicast address normally does not change if a member of the group drops out.

Accordingly, it should be appreciated that the multicast case packets are NOT ***"addressed to said second node by use of a second node destination address"*** as recited in claim 1 and that the *multicast* method described in the Srivastava patent does not anticipate or render obvious the subject matter of amended claim 1.

Accordingly claim 1 is patentable over the applied reference.

Claims 2-18 and new claim 42 which depend from claim 1 are patentable for the same reason claim 1 is patentable.

Applicant notes that dependent claim 42 is also patentable because it recites:

> The method of claim 1, wherein **the second node destination address is a Home Address of the second node.**

It is respectfully submitted that the use of a multicast address in the applied reference does not in anyway anticipate or render obvious the use of the home address of the second node as a destination address.

2. **Claims 19-41 and 43-51 are Patentable**

The Srivastava patent **fails to anticipate or render obvious the packet redirection and/or interception features currently recited in various claims.** Accordingly, claims 19-41 and 43-51 are patentable.

For example, with regard to independent claim 19, the applied reference fails to anticipate or render obvious:

> means for processing packets ***re-directed away from said mobile node to said intermediate node,*** **said redirected packets being packets which were originally directed** by said first node **towards said mobile node** as part of a secure communications session using said first shared secret; …

For example, with regard to independent claim 19, the applied reference fails to anticipate or render obvious:

> operating **the third node to receive a secure flow of packets from the first node that *are directed to said second node*** as part of the secure communications session; and

> **operating the third node *to intercept and process said received secure flow of packets* from the first node …**

In view of the above amendments and remarks, it is respectfully submitted that claim 19-41 and 43-51 are patentable over the applied reference.

III. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims are in condition for allowance. Accordingly, it is requested that the Examiner pass this application to issue.

If there are any outstanding issues which need to be resolved to place the application in condition for allowance **the Examiner is requested to call (732-542-9070) and schedule an interview with Applicant's undersigned representative.** To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136 is hereby made and any required fee in regard to the extension or this amendment is authorized to be charged to the deposit account of Straub & Pokotylo, deposit account number 50-1049.

None of the statements or discussion made herein are intended to be an admission that any of the applied references are prior art to the present application and Applicants preserve the right to establish that one or more of the applied references are not prior art.

Respectfully submitted,

January 15, 2008

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (and any accompanying paper(s)) is being facsimile transmitted to the United States Patent Office on the date shown below.

Michael P. Straub
Type or print name of person signing certification

Michael P. Straub
Signature

January 15, 2008
Date